

S. 1195

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Ninety-ninth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Thursday, the third day of January,
one thousand nine hundred and eighty-five*

An Act

To amend title 3, United States Code, to authorize the use of penalty and franked mail in efforts relating to the location and recovery of missing children.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO USE PENALTY AND FRANKED MAIL.

(a) **AUTHORITY.**—(1) Chapter 32 of title 39, United States Code, is amended by adding at the end thereof the following:

“§ 3220. Use of official mail in the location and recovery of missing children

“(a)(1) The Office of Juvenile Justice and Delinquency Prevention, after consultation with appropriate public and private agencies, shall prescribe general guidelines under which penalty mail may be used to assist in the location and recovery of missing children. The guidelines shall provide information relating to—

“(A) the form and manner in which materials and information relating to missing children (such as biographical data and pictures, sketches, or other likenesses) may be included in penalty mail;

“(B) appropriate sources from which such materials and information may be obtained;

“(C) the procedures by which such materials and information may be obtained; and

“(D) any other matter which the Office considers appropriate.

“(2) Each executive department and independent establishment of the Government of the United States shall prescribe regulations under which penalty mail sent by such department or establishment may be used in conformance with the guidelines prescribed under paragraph (1).

“(b) The Senate Committee on Rules and Administration and the House Commission on Congressional Mailing Standards shall prescribe for their respective Houses rules and regulations, and shall take such other action as the Committee or Commission considers necessary and proper, in order that purposes similar to those of subsection (a) may, in the discretion of the congressional official or office concerned, be carried out by the use of franked mail sent by such official or office.

“(c) As used in this section, ‘Office of Juvenile Justice and Delinquency Prevention’ and ‘Office’ each means the Office of Juvenile Justice and Delinquency Prevention within the Department of Justice, as established by section 201 of the Juvenile Justice and Delinquency Prevention Act of 1974.”

(2) The analysis for chapter 32 of title 39, United States Code, is amended by adding at the end thereof the following:

“3220. Use of official mail in the location and recovery of missing children.”

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(b) **DEFINITION.**—Section 3201 of title 39, United States Code, is amended—

- (1) in paragraph (4), by striking out “and”;
- (2) in paragraph (5), by striking out the period and inserting in lieu thereof “; and”; and
- (3) by adding at the end thereof the following:
“(6) ‘missing child’ has the meaning provided by section 403(1) of the Juvenile Justice and Delinquency Prevention Act of 1974.”.

(c) **CONFORMING AMENDMENT.**—(1) Section 3204(a) of title 39, United States Code, is amended by striking out “section,” and inserting in lieu thereof “section or section 3220(a) of this title,”.

(2) Section 733 of title 44, United States Code, is amended by inserting after the second sentence of the second undesignated paragraph the following: “Franks may also contain information relating to missing children as provided in section 3220 of title 39.”.

SEC. 2. ISSUANCE OF GUIDELINES, RULES, AND REGULATIONS.

(a) **GUIDELINES.**—The guidelines described in section 3220(a)(1) of title 39, United States Code, as added by this Act, shall be prescribed not later than ninety days after the date of the enactment of this Act.

(b) **RULES AND REGULATIONS.**—The regulations described in subsection (a)(2) of section 3220 of title 39, United States Code, as added by this Act, and the rules and regulations described in subsection (b) of such section, as so added, shall be prescribed not later than one hundred and eighty days after the date of the enactment of this Act.

SEC. 3. REPORTS.

(a) **GENERAL REQUIREMENTS.**—Not later than two years after the date of the enactment of this Act, a written report containing the matter described in subsection (b) shall be prepared by—

- (1) the Office of Juvenile Justice and Delinquency Prevention and submitted to the President, the President pro tempore of the Senate, and the Speaker of the House of Representatives;
- (2) the Senate Committee on Rules and Administration and submitted to the President pro tempore of the Senate; and
- (3) the House Commission on Congressional Mailing Standards and submitted to the Speaker of the House of Representatives.

(b) **CONTENT OF REPORTS.**—Each report under this section shall include—

- (1) an assessment of the effectiveness with which any authority provided by section 3220 of title 39, United States Code, as added by this Act, has (during the period covered by the report) been used, insofar as such authority was subject to guidelines or rules and regulations prescribed by the reporting entity;
- (2) recommendations as to whether the authority under such section should, insofar as such authority was subject to such guidelines or rules and regulations, be extended beyond the termination date otherwise applicable under section 5; and
- (3) any other information which the reporting entity considers appropriate.

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SEC. 4. CLARIFICATION RELATING TO COORDINATION OF GOVERNMENT PROGRAMS.

Notwithstanding any other provision of law, the authority provided by section 3220(b) of title 39, United States Code, as added by this Act, shall not be considered to be subject to the authority of any agency within the executive branch of the Government of the United States to coordinate programs relating to missing children.

SEC. 5. TERMINATION DATE.

The amendments made by section 1 and any guidelines, rules, or regulations prescribed to carry out such amendments shall cease to be effective two and one-half years after the date of the enactment of this Act.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

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H 6457

AUTHORIZING THE USE OF OFFICIAL MAIL TO AID IN THE LOCATION AND RECOVERY OF MISSING CHILDREN

Mr. McCLOSKEY. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1195) to require that a portion of the mail of Congress and the executive branch include a photograph and biography of a missing child, as amended.

The Clerk read as follows:

S. 1195

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO USE PENALTY AND FRANKED MAIL.

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“(A) the form and manner in which materials and information relating to missing children (such as biographical data and pictures, sketches, or other likenesses) may be included in penalty mail;

“(B) appropriate sources from which such materials and information may be obtained;

“(C) the procedures by which such materials and information may be obtained; and

“(D) any other matter which the Office considers appropriate.

(2) Each executive department and independent establishment of the Government of the United States shall prescribe regulations under which penalty mail sent by such department or establishment may be used in conformance with the guidelines prescribed under paragraph (1).

“(b) The Senate Committee on Rules and Administration and the House Commission on Congressional Mailing Standards shall prescribe for their respective Houses rules and regulations, and shall take such other action as the Committee or Commission considers necessary and proper, in order that purposes similar to those of subsection (a) may, in the discretion of the congressional official or office concerned, be carried out by the use of franked mail sent by such official or office.

“(c) As used in this section, ‘Office of Juvenile Justice and Delinquency Prevention’ and ‘Office’ each means the Office of Juvenile Justice and Delinquency Prevention within the Department of Justice, as established by section 201 of the Juvenile Justice and Delinquency Prevention Act of 1974.”.

(2) The analysis for chapter 32 of title 39, United States Code, is amended by adding at the end thereof the following:

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(3) by adding at the end thereof the following:

“(6) ‘missing child’ has the meaning provided by section 403(1) of the Juvenile Jus-

tice and Delinquency Prevention Act of 1974.”.

(c) CONFORMING AMENDMENT.—Section 3204(a) of title 39, United States Code, is amended by striking out “section,” and inserting in lieu thereof “section or section 3220(a) of this title.”.

SEC. 2. ISSUANCE OF GUIDELINES, RULES, AND REGULATIONS.

(a) GUIDELINES.—The guidelines described in section 3220(a)(1) of title 39, United States Code, as added by this Act, shall be prescribed not later than ninety days after the date of the enactment of this Act.

(b) RULES AND REGULATIONS.—The regulations described in subsection (a)(2) of section 3220 of title 39, United States Code, as added by this Act, and the rules and regulations described in subsection (b) of such section, as so added, shall be prescribed not later than one hundred and eighty days after the date of the enactment of this Act.

SEC. 3. REPORTS.

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(1) the Office of Juvenile Justice and Delinquency Prevention and submitted to the President, the President pro tempore of the Senate, and the Speaker of the House of Representatives;

(2) the Senate Committee on Rules and Administration and submitted to the President pro tempore of the Senate; and

(3) the House Commission on Congressional Mailing Standards and submitted to the Speaker of the House of Representatives.

(b) CONTENT OF REPORTS.—Each report under this section shall include—

(1) an assessment of the effectiveness with which any authority provided by section 3220 of title 39, United States Code, as added by this Act, has (during the period covered by the report) been used, insofar as such authority was subject to guidelines or rules and regulations prescribed by the reporting entity;

(2) recommendations as to whether the authority under such section should, insofar as such authority was subject to such guidelines or rules and regulations, be extended beyond the termination date otherwise applicable under section 5; and

(3) any other information which the reporting entity considers appropriate.

SEC. 4. CLARIFICATION RELATING TO COORDINATION OF GOVERNMENT PROGRAMS.

Notwithstanding any other provision of law, the authority provided by section 3220(b) of title 39, United States Code, as added by this Act, shall not be considered to be subject to the authority of any agency within the executive branch of the Government of the United States to coordinate programs relating to missing children.

SEC. 5. TERMINATION DATE.

The amendments made by section 1 and any guidelines, rules, or regulations prescribed to carry out such amendments shall cease to be effective two and one-half years after the date of the enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. YOUNG of Alaska. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Indiana [Mr. McCloskey] will be recognized for 20 minutes

and the gentleman from Alaska [Mr. Young] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Indiana [Mr. McCloskey].

Mr. McCLOSKEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, for several years now it has been apparent that this country is faced with a growing and frightening problem: an increasing incidence of missing children. Almost every day we hear a new story of heartbreak, where a child is abruptly taken from a loving family and never heard from again. The fear, pain, and guilt of parents who suddenly lose a child in this way is very difficult to describe.

Often, these feelings are compounded by another; that of frustration at the limited means available for tracking down a child who disappears. Forced to rely only on their own resources, families see hope slip away as time passes and no leads are found.

Let me take a moment to list just some of the difficulties faced by families who fear their child has been taken by a stranger. First, local police authorities are often reluctant to list a child as missing, and will do so only after several days have passed. By this time, a kidnaper can gain the needed leeway to transport a child well beyond the reach of local law enforcement efforts. Also, there exists no mechanism for placing the vital details of a particular case in a nationwide computer bank. Such a national system would accomplish more in a few minutes than families working on their own could do in many months. Finally, there is some reluctance on the part of both the law enforcement community and the general public to even acknowledge that the problem is a significant one.

Children disappear from their homes for a number of reasons. Many do run away and return within a few days. Others are kidnapped by estranged spouses. And still others are taken by strangers. In the last two instances, the chances of a child returning home unharmed are very slim. The kidnaper, with both physical and psychological power over the child, can easily prevent him or her from getting help. It is clearly up to us, the adults, to devise a means of finding and aiding these helpless victims.

Recently, initiatives have been taken in the private sector to disseminate information about missing children through pictures on grocery bags, toll booth tickets, and milk cartons, and these have been reportedly very successful. It is becoming clear that Congress has a role to play as well. The passing of the Missing Children's Assistance Act in the 98th Congress was the first action taken by the National Legislature to address this complicated issue. Among other things, the act created the National Center for Missing and Exploited Children. The center

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provides a clearinghouse for information about missing children. Each day, the center fields calls from across the country from people who might have information on a missing child. After only 1 year of existence, the center has already aided in the location of over 800 missing children.

The legislation before us today, S. 1195, is a further step along the road of congressional involvement. I believe the key aspect of the bill is the comprehensive, broad distribution of information that will be obtained by placing the pictures of missing children on Government mail. Everyone receives mail, and Federal Government mail in particular. Exposure for particular cases of missing children for the first time will be nationwide, a feature that has been difficult to achieve in past programs. A national effort is needed to combine and distribute the various sources of information concerning missing children.

S. 1195 will allow executive branch agencies and Members of Congress to participate in this national effort by amending current law to permit discretionary use of penalty and franked mail for purposes of helping to locate missing children. I would stress that it is discretionary, voluntary, and not mandatory. From testimony received at hearings held by the Subcommittee on Postal Personnel and Modernization, consultation with persons deeply involved in the effort to locate missing children, comments from affected executive branch agencies, and dialog with my colleagues on both sides of the aisle, an effective piece of legislation has been formulated.

Guidelines for implementation of the requirements of the bill would be formulated by the Office of Juvenile Justice and Delinquency Prevention within 90 days after enactment. Specific rules and regulations for each agency would be developed after 180 days. Within Congress, the program would be administered by the Senate Committee on Rules and Administration and the House Commission on Congressional Mailing Standards. Guidelines for the congressional program would also be developed within 180 days after enactment.

I would note, also, that there is a sunset provision. We would have a report on the program's effectiveness before 2 years is up, and indeed, for it to go on after that there would have to be another positive vote by the Congress.

I would also like to commend the minority members of the Postal Subcommittee and the full committee for their particular support, particularly the gentleman from Alaska [Mr. YOUNG].

I urge my colleagues to join in the effort to locate this Nation's missing children and return them to their homes and families by supporting this worthwhile piece of legislation today.

Mr. Speaker, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I rise in strong support of S. 1195 and urge that my colleagues suspend the rules and approve this important legislation.

The tragedy of missing children is an important problem facing this Nation. The National Center for Missing and Exploited Children estimates that as many as 1.5 million children disappear each year. That is more than 500 each day. Clearly, steps have to be taken to aid in the search for and safe return of our children.

Americans have banded together to assist in these efforts. The National Center for Missing and Exploited Children provides a nationwide clearinghouse for information on missing children. Broadcasters and private industry have also joined in the search with public service announcements and other educational programs.

Congress has played a role also, through legislation such as the Missing Children Act and the Missing Children's Assistance Act. Passage of S. 1195 will further expand Federal assistance in the search for missing children.

The Subcommittee on Postal Personnel and Modernization has held extensive hearings on the bill. Problems with legislation, as identified by our witnesses, have been addressed. I want to compliment Chairman McCLOSKEY, and Mr. BURTON of Indiana, a member of the subcommittee, for their efforts to achieve a workable piece of legislation.

This bill will encourage Members of Congress and executive agencies to include photos and biographies of missing children in their mailings. If it allows for the return of only one child, S. 1195 will be well worth the effort.

Mr. Speaker, I reserve the balance of my time.

□ 1240

Mr. McCLOSKEY. Mr. Speaker, I thank the gentleman from Alaska [Mr. YOUNG]. Indeed we can never express enough appreciation for his work, his cooperation, and his leadership in this matter.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Mr. Speaker, I thank the subcommittee chairman for yielding this time to me.

I simply rise to commend the chairman of the subcommittee, the gentleman from Indiana [Mr. McCLOSKEY], and the ranking minority member, the gentleman from Alaska [Mr. YOUNG], for their fine work on this legislation. What they have done is provide another access for people to be aware of who the missing children in this country are. That is one of the great traged-

ies in this country, that we have thousands of individuals who are so concerned about their children and have no possible ideas as to what happened to those children.

One of the things we have discovered by having the dairy industry and other industries put the pictures of these children on their cartons, and so forth, is that to some extent this helps in finding these children. Now, here you have ironed out all the wrinkles relating to what happened on the Senate side with respect to providing Members the opportunity to give access to making sure that the entire country knows that this is a national tragedy and that there are children who can be identified possibly through this means.

I know these gentlemen had to deal with very many kinds of nitty-gritty targets and arguments in order to rectify the problems of the legislation, and I think the patience they displayed and their willingness to take up the subject hastily shows the very, very fine mutual cooperation that has existed on that subcommittee. It is a tribute to the leadership of the gentleman from Indiana [Mr. McCLOSKEY]. I think the parents who have those children who are missing will be forever grateful to him if, as my colleague, the gentleman from Alaska, said, one child is found as a result of our providing this access.

So, Mr. Speaker, I want to commend both these gentlemen. I think this is very, very special legislation, and I extend my congratulations to them.

Mr. McCLOSKEY. Mr. Speaker, I yield such time as she may consume to the distinguished gentlewoman from Louisiana [Mrs. BOGGS].

Mrs. BOGGS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, as the chairman of the Crisis Intervention Task Force of the Select Committee on Children, Youth and Families, I rise to commend this subcommittee for bringing forth this very, very important piece of legislation. I commend the Chair and the ranking member and all the members of the subcommittee.

I can think of nothing that is more important to the encouragement of all the persons involved in trying to find the missing children in this country than this piece of legislation, and I commend all the subcommittee members for bringing it forth and bringing it to our attention in such a manner, as was done, with such swiftness and with such intelligence and with such patience.

Mr. Speaker, I do indeed urge the passage of this legislation.

Mr. McCLOSKEY. Mr. Speaker, I have no further requests for time.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 11 minutes to the gentleman from Indiana [Mr. COATS].

(Mr. COATS asked and was given permission to revise and extend his remarks.)

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Mr. COATS. Mr. Speaker, I rise not to oppose S. 1195 because it certainly is indeed one of many efforts that have been under way across the country to deal with an important issue, one that grips the hearts of anyone with children at home, and that is missing children.

Some of the Members may have heard my 1-minute speech on the House floor last week in which I tried to put the issue, however, somewhat in perspective. It appears that we are dealing with some erroneous information, and it is widely quoted throughout the country that there are 1.5 million missing children, and that there are 50,000 children each year abducted by strangers. Of course, these kinds of figures and the attendant publicity to these kinds of figures has given rise to considerable paranoia and fear and concern among parents and individuals throughout the country.

To try to put that somewhat in perspective, I indicated that according to the latest FBI estimates, the figure is not 1.5 million missing children but, rather, closer to some 30,000 missing children. The figure is not 50,000 children abducted by strangers each year but, rather, 67. I know those figures are in conflict with the figures given by the Center for Missing Children, but our minority staff on the Select Committee on Children, Youth, and Families has visited the Missing Children's Center, and I have talked to a number of people that have been involved in this area, and at the very least there is considerable dispute about the numbers.

That does not in any way diminish the importance of one abducted child; that does not in any way diminish the importance of one missing child. It simply gives us information by which perhaps we can better fashion legislation to deal with the problem.

Helen Goodman in her article that was printed in the Washington Post, entitled "Missing Children, Facts and Fears," not too long ago indicated these numbers and also indicated that it is important that we understand not only the correct numbers but the causes for these missing children. It is estimated by a number of authorities—and Ms. Goodman indicated this is her article—that of the 30 some thousand missing children, fully 90 percent and perhaps 98 percent are children who are missing of their own volition. They are runaway children or they are throwaway children. They are children that have been kicked out of the house. Now, that is a tragedy and that is a problem in both respects, but I suggest the solution to that problem is different than the solution to the problem of missing children. As we look at this problem, we need to come up with varying solutions for these varied problems.

Our committee, as the gentlewoman from Louisiana [Mrs. Boggs] has said, has studied this problem and looked into it, and I anticipate we will do

more. We should do more, and we are unquestionably concerned about it.

But, Mr. Speaker, I wanted to bring these facts out to those listening today and those involved with the legislation so that we will not do what is so often done as legislative remedies, that is, simply come up with one solution to take care of it, pass it here in the House of Representatives by unanimous vote or voice vote, and say, "There, we have handled our responsibility to missing children. Look how wonderful we are. We have done the job. Now let us go on to something else."

This is a far more complex problem than one that is involved by simply printing a biography and a picture on a piece of franked mail. We are going to have to deal with the problem of runaway children, children who of their own volition are leaving the house and not coming back or leaving the house for short periods of time. We need to deal with the causes of those problems and with the problems that are within the family that is causing that to happen.

We need to deal with the problem of throwaway children, those children who are being kicked out of the house for one reason or another and told by their parents, "I don't want to see you anymore. Don't walk back in this house."

I suggest that the solution to those problems—and that accounts for as much as 98 percent of the missing children numbers—the solution is going to be considerably different than putting their pictures on a milk carton, a move which I heartily endorse and support, or printing their pictures or biographies on franked or penalty mail.

□ 1250

I wonder if I could take this opportunity to ask the sponsor of this legislation some questions concerning this legislation that is before us. I am unsure or unclear as to the exact nature of how this is going to be accomplished. I noted that the Senate mandated a certain percentage of franked and penalty mail carried biographies and pictures, but apparently the gentleman has changed that legislation. Could the gentleman describe to me why it was changed and what the change is?

Mr. McCLOSKEY. I would say to the gentleman from Indiana [Mr. Coats] that we had more than one full day of testimony, both technically and on the substance of these issues, as the gentleman has so eloquently talked about. As we got the measure from the other body, as well-intentioned and committed to helping on the overall problem as it was, we thought that the real problem was that it made it mandatory on 75 percent of all congressional mailings and 50 percent of all Federal mailings. I think that would be very, very diffi-

cult, for example, to pass in this House.

Also, the bill as passed in the other body contained no administrative details. For example, the Franking Committee is handling the question of regulations in the House. The appropriate body in the Senate handles it in the Senate.

Also, the regulations would be drawn up and proposed generally for the Federal agencies and not the congressional agencies by the Office of Juvenile Justice and Juvenile Delinquency.

As I noted in my opening statement, it has a sunset provision. It would expire within about 2 years without subsequent reenactment, and also provides for the Office of Juvenile Justice and Juvenile Delinquency Prevention to provide a working report before that amount of time for the Congress to judge how it would operate. Within about 180 days after passage, regulations would be available; but I guess one of the main points I was making is that it would be voluntary and not discretionary.

Mr. COATS. That raises a question in my mind, and I appreciate the gentleman clarifying that issue. It raises the question with three or four different agencies prescribing regulations, is there a provision in the bill which would allow for coordination, so that one agency is not defining a missing child and the rules and regulations by which we publicize this differ from another agency?

It seems to me that could lead to some confusion if the executive branch was using a different set of guidelines than the legislative branch.

Mr. McCLOSKEY. Our report suggests that both the Federal agency and the congressional parties involved coordinate with the National Center for Missing and Exploited Children, which has a very definite interest and a substantial amount of expertise in these matters.

Mr. COATS. As I understand it, the Office of Juvenile Justice and Delinquency Prevention was given an appropriation of about \$4 million and part of this was earmarked for a national incident study of just what the situation is. To my knowledge, that has not been completed.

I guess I would just like to ask the gentleman if he is aware of this and if there is something we can do to get them off the dime and get them studying this question so that we can get the proper information before us so that we do not have to dispute these numbers.

Is the gentleman aware of that and is there any progress on this that he can report?

Mr. McCLOSKEY. Actually, we are in very good shape as to the gentleman's concerns. J. Howell testified for about 30 minutes before our committee. He is the Executive Director of the National Center. He gave us very positive ideas, rounding out a full day

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of testimony, as to ways we could improve on the legislation and pledged his utmost cooperation. He was quite enthusiastic about it.

As to another concern, I am glad the gentleman brought it up. In no way does this bill ever purport to be the final solution as to how to help in this terrible problem of missing children. It is just one significant effort. I would hope this would highlight the concerns and the needs and not pretend to be the last congressional word on it.

Another thing I might note is that the national estimates are 50,000 to 67,000 stranger abducted children yearly. Of course, mailings such as this can also help on problems as to runaways and other children.

The committee deliberately decided not to make a definitive finding as to the numbers involved, because there are different estimates and they can get to be controversial, but I think it is widely recognized as a very major national problem.

Mr. COATS. I thank the gentleman for his response.

I guess the only point I want to make is that there is considerable discrepancy here between the FBI and other estimates as to stranger abducted children in the number of missing children. The FBI says 67,000 and the Center says 50,000. That is a pretty big gap. We need to find out just what the situation is.

Second, inasmuch as we do know that a considerable number of these children are away from home for reasons other than being abducted by strangers, we need to be sensitive to that and try to do all we can to vary our legislative responses in that regard.

I do thank the gentleman for his effort and work in this area. It is an important area, one that we should focus on. We should make every possible attempt not only to locate these children, but to raise this issue to a level of public consciousness so that we can mobilize this country against this tragedy that is existing.

My final point, just to repeat, it is a multidimensional tragedy, one that we want to be fully aware of all the facts and figures so that we can fashion the right responses.

I thank the gentleman from Alaska for yielding.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 4 minutes to the gentleman from Iowa [Mr. TAUKE].

Mr. TAUKE. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, as ranking Republican on the Human Resources Subcommittee which deals with the missing children issue, I commend my colleagues on the Post Office and Civil Service Committee for bringing forward this piece of legislation and, frankly, improving it substantially from the version that came out of the Senate.

I have listened with interest to my colleague, the gentleman from Indiana, who has just talked about the sta-

tistics and the problems we have in determining the extent of the missing children problem. While the gentleman is concerned about misleading statistics being offered by the National Center for Missing Children, I am concerned that the statistics which the gentleman offers are substantially misleading.

Let me attempt to say a few words about the extent of the problem. When the National Center for Missing Children talks about 1.5 million children missing in the course in a year, of course, that seems like an astonishing figure. One has to realize that the figures one uses are based in large part on the length of time being discussed. Are we talking about a child being missing for a couple hours or a couple days? Obviously, that makes a great deal of difference.

Also, as the gentleman from Indiana indicated, there are many different kinds of missing children, children abducted by strangers, children abducted by parents in a custody dispute, children who are runaways from home, children who are throw-aways.

I am not certain that I can stand here and vouch for the figures from the National Center for Missing Children. There certainly is substantial question about those figures, but I know that I can say that the FBI's statistics are totally inadequate and inaccurate and should not be relied upon. The FBI statistics are garnered from local police forces who have no uniform method for collecting these statistics. Many local police forces never report missing children at all to the FBI or any national organization.

Moreover, many police forces have as a matter of policy an operation which permits them to classify any child over a certain age who is missing as a runaway child.

We have had testimony within our subcommittee of many tragic circumstances where law enforcement officials, while well intentioned, have simply misclassified individuals as runaways, when in fact they have been abducted; so I do not think my colleagues in the Congress should be lulled in any way by the statistics that have been compiled by the FBI, because those statistics, Mr. Speaker, are absolutely wrong.

This legislation, obviously, is not going to solve all the problems of missing children, but this legislation does complement very well activities already undertaken in the private sector. There is ample evidence that publicizing the faces and information about missing children helps rescue those children. Many people in the private sector have already been involved in the publication of the images and information about missing children. This legislation allows government to get into the same business.

□ 1300

This legislation allows the Federal Government to engage in a comple-

mentary activity to the private sector by allowing additional publications of faces and names. That, I think, will alert the public to these children and their plight, and that alert to the public will certainly result in more information being made available to local law enforcement officials, and will result in the rescuing of more children.

We have a lot of work to do in Congress in determining the extent of the problem and additional ways to deal with it, but this legislation is a step in the right direction, and I commend my colleague for bringing it to the floor of the House, and I urge its adoption.

S. 1195, as amended by the committee, is a constructive step toward directly involving Federal agencies and Congress in the location and recovery of missing children. When implemented, this Government involvement will complement actions already being taken by hundreds of businesses and individuals in the private sector to disseminate pictures and information about missing children.

The bill instructs the Office of Juvenile Justice and Delinquency Prevention to consult with public and private agencies and issue guidelines under which penalty mail may be used in this effort. I encourage the Office to utilize the expertise and resources of the National Center for Missing and Exploited Children and other organizations in developing practical and effective guidelines on how official mail may best be used to locate and recover missing children.

Consideration should be given to the use of inserts in official mail, as well as the printing of pictures of and information about missing children on penalty and franked envelopes. It is crucial to the efficient and effective use of the huge volume of congressional and agency mail that the information used in this effort be current and accurate.

It has been documented that the controlled dissemination of pictures and information about missing children is an effective means of locating and recovering those children. I therefore urge the timely issuance of regulations as prescribed by this bill and encourage all of my colleagues to participate in this meaningful and important program, which will give further national attention to this serious problem.

It is estimated that 1.5 million children are missing for short periods of time each year. This includes runaways, throwaways, parental abductions, and stranger abductions. Regardless of the cause of the disappearance, the tragedy of a missing child is unparalleled. I am pleased to support this measure as another step toward solving the national problem of missing children.

Mr. McCLOSKEY. Mr. Speaker, I thank the gentleman from Iowa for his eloquent statement, which I think

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is most in keeping with the substance and spirit of this bill.

● Mr. FORD of Michigan. Mr. Speaker, I rise in strong support of S. 1195, as amended.

I wish to commend the gentleman from Indiana [Mr. McCloskey], for his outstanding leadership. The skill which he brought to this important and complex task was the key to the achievement of the outstanding piece of legislation we have before us today.

Enactment of S. 1195, as amended by the Committee on Post Office and Civil Service, undoubtedly will be of immense assistance in finding missing children. It also solves or avoids the many administrative problems which would have been created by enactment of the original bill as referred to the committee. The final product is representative of the legislative process at its best.

I also wish to thank Chairman FRANK ANNUNZIO of the Committee of House Administration and Chairman GUS HAWKINS of the Committee on Education and Labor for their cooperation and assistance in allowing us to bring this vitally important measure to the floor today.

I urge passage of S. 1195, as amended. ●

● Mr. BIAGGI. Mr. Speaker, I urge my colleagues to support S. 1195, as amended, a bill which will allow official Government mail to be used in efforts to locate missing children.

Children disappear for a number of reasons. They leave home voluntarily, they may be victims of noncustodial parental kidnapping, or they may be abducted by total strangers. Of particular concern is the abduction or false imprisonment of children by non-family members. While there are statistics which purport to show the magnitude of this problem, I maintain that the data are an inadequate indication of its scope. On June 4, 1985, in a major statement on missing children, I pointed out that ultimately we will learn that this tragedy affects many thousands in this country each year. For this reason, I think it is imperative that we expand Government efforts to assist State, local and private organizations in dealing with this critical problem. S. 1195, as amended, is an important step in the right direction.

I will support this bill as I have supported all legislation directed at the problem of missing children. It will give Federal agencies and congressional offices discretion in determining how the mail they send out may be used to help locate missing children. I appeal to my colleagues to join me in support of this bill. The thousands of families that have been visited by this tragedy deserve no less. ●

Mr. McCLOSKEY. Mr. Speaker, I yield back the balance of my time and I urge passage of S. 1195.

Mr. YOUNG of Alaska. Mr. Speaker, I have no further request for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana [Mr. McCloskey] that the House suspend the rules and pass the Senate bill, S. 1195, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

The title of the Senate bill was amended so as to read: "An act to amend title 3, United States Code, to authorize the use of penalty and franked mail in efforts relating to the location and recovery of missing children."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. McCLOSKEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous matter, on the Senate bill, S. 1195.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

MAKING MISCELLANEOUS CHANGES IN LAWS AFFECTING THE COAST GUARD

Mr. STUDDS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2466) to make miscellaneous changes in laws affecting the U.S. Coast Guard, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2466

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subtitle II of title 46, United States Code, is amended as follows:

(1) In section 2101(14)(C), strike "Material" and substitute "Materials".

(2) Section 2101(21) is amended as follows:

(A) In subclause (A)(ii), strike "crewmember." and substitute "crewmember or other individual engaged in the business of the vessel who has not contributed consideration for carriage on board the vessel."

(B) Strike subclause (B)(v)-(vii) and substitute the following:

"(v) a guest on board a vessel being operated only for pleasure who has not contributed consideration for carriage on board; or

"(vi) an individual on board a towing vessel of at least 50 gross tons who has not contributed consideration for carriage on board."

(C) At the end, add the following new subclause:

"(F) on a sailing school vessel, means an individual carried on the vessel except—

"(i) the owner or representatives of the owner;

"(ii) the master or a crewmember engaged in the business of the vessel who has not contributed consideration for carriage and who is paid for services;

"(iii) an employee of the owner of the vessel engaged in the business of the owner, except when the vessel is operating under a demise charter;

"(iv) an employee of the demise charterer of the vessel engaged in the business of the demise charterer;

"(v) a guest on board the vessel who has not contributed consideration for carriage on board; or

"(vi) a sailing school instructor or sailing school student."

(D) Strike "or a sailing school vessel," in clause (B).

(3) In section 3302(i)(5), strike "charter" and substitute "charterer".

(4) At the end of section 3302, add the following new subsection:

"(k) Only the boiler, engine, and other operating machinery of a steam vessel that is a recreational vessel of not more than 65 feet overall in length are subject to inspection under section 3301(9) of this title."

(5)(A) Section 3304 is amended as follows:

(i) In the section catchline, strike "Carrying" and substitute "Transporting".

(ii) In subsection (a), strike "carrying cargo that carries" and "vessel." and substitute "transporting cargo that transports" and "vessel if the vessel is otherwise subject to inspection under this chapter," respectively.

(iii) In subsection (b), strike "Before an individual in addition to the crew is carried" and substitute "Except when subsection (e) of this section applies, before an individual in addition to the crew is transported".

(iv) In subsection (c), strike "The privilege" and substitute "A privilege".

(v) Add at the end the following new subsection:

"(e) The Secretary may by regulation allow individuals in addition to the crew to be transported in an emergency, or under section 2304 of this title."

(B) In item 3304 in the analysis of chapter 33, strike "Carrying" and substitute "Transporting".

(6) In section 3318(f), before clause (1), strike "then" wherever it appears and substitute "than".

(7)(A) Section 3503 is amended as follows:

(i) Insert "(a)" at the beginning of the section;

(ii) strike the last sentence and substitute "Before November 1, 1993, this section does not apply to a vessel in operation before January 1, 1968, and operating only on the inland waters."

(iii) add at the end the following:

"(b)(1) When a vessel is exempted from the five-retardant standards of this section—

"(A) the owner, charterer, managing operator, or agent of the vessel shall notify prospective passengers that the vessel does not comply with applicable fire safety standards due primarily to the wooden construction of passenger berthing areas; and

"(B) the owner or managing operator of the vessel may not disclaim liability to a passenger for death, injury, or any other loss caused by fire due to the negligence of the owner or managing operator; and

"(C) the penalties provided in section 3504(c) of this title apply to a violation of this subsection.

"(2) The Secretary shall prescribe regulations under this subsection on the manner in which prospective passengers are to be notified."

(B) Until the regulations required by clause (7) of this section become effective, the owner, charterer, managing operator, or agent shall notify prospective passengers in all promotional literature and on each ticket that the vessel does not comply with those standards due primarily to the wooden construction of passenger berthing areas.

(8) In section 3714(a)(4), strike "charter" and substitute "charterer".

(9) Section 4308 is amended by striking "operator" wherever it appears and substituting "individual in charge".

(10) In section 7111, strike "Part" and substitute "part".

(11) In section 7312(e) strike "able seaman—limited" and substitute "able seamen—limited".

(12) Section 8104(k) is amended by striking "watchers" and substituting "watches".

(13) In section 8502(a)(4)(A), strike "Part" and substitute "part".

(14) Chapter 89 is amended as follows:

(A) In item 8903 in the chapter analysis, strike "Uninspected" and substitute "Self-propelled, uninspected".

(B) In the catchline of section 8903, strike "Uninspected" and substitute "Self-propelled, uninspected".

(C) In the text of section 8903, strike "An" and substitute "A self-propelled,".

(15) In section 10709(a)(1), before clause (A)—

(A) strike "then \$1,500 in value, and" and substitute "than \$1,500 in value, the court,"; and

(B) strike "wages, the court" and substitute "wages,".

(16) Section 12122(a) is amended by adding at the end the following sentence: "Each day of a continuing violation is a separate violation."

(17) In section 13102(a)(4), strike "coordinate carrying the State" and substitute "coordinate carrying out the State".

(18) Section 13104(b) is amended by inserting after "Secretary" the words "for State recreational boating safety programs".

(19) Effective August 26, 1983, chapter 111 is amended as follows:

(A) At the end of the chapter analysis, add the following new item:

"§ 11112. Master's lien for wages."

(B) At the end of the chapter, add the following new section:

"§ 11112. Master's lien for wages

"The master of a documented vessel has the same lien against the vessel for the master's wages and the same priority as any other seaman serving on the vessel."

Sec. 2. (a) The Coast Guard may enter into a lease in excess of one fiscal year to acquire a site on the State pier in New Bedford, Massachusetts, for construction of maintenance assistance team and vessel support facilities on that pier.

(b) Any lease under this section is effective only to the extent that amounts are provided for in appropriation laws.

(c) Notwithstanding section 322 of the Act of June 30, 1932 (40 U.S.C. 278a), and beginning in fiscal year 1986, the Coast Guard may spend appropriated amounts for the construction of fixed facilities and improvements on that portion of the State pier leased from Massachusetts for the use of a maintenance assistance team and Coast Guard vessels.

Sec. 3. Notwithstanding any other law, the Coast Guard Yard, Curtis Bay, Maryland, and the Coast Guard Aircraft Repair and Supply Center, Elizabeth City, North Carolina, are exempt from statutory and administrative personnel ceilings through September 30, 1988.

Sec. 4. The body of water known as Lawyer's Ditch located at block 5000 in the city of Newark, County of Essex, New Jersey, is declared to be a nonnavigable waterway of the United States within the meaning of the laws of the United States relating to the construction of bridges over navigable waters. The right to alter, amend, or repeal this section is expressly reserved.

Sec. 5. Notwithstanding the last sentence of section 81 of title 14 of the United States

Code, the Coast Guard may not, except for the installation of fixed aids to navigation, carry out by contract the determination of the location, or the placement, of aids to maritime navigation in the Intracoastal Waterway in New Jersey.

Sec. 6. The Coast Guard may enter into a contract, agreement, or letter of intent with a municipal utility within the Seventeenth Coast Guard District to provide electricity to a Coast Guard facility without complying with the provisions of section 14 of Public Law 98-557.

Sec. 7. (a) There is established a National Offshore Vessel Operators Safety Advisory Committee (hereinafter in this section referred to as the "Committee"). The Committee shall advise, consult with, and make recommendations to the Secretary of the department in which the Coast Guard is operating (hereinafter in this section referred to as the "Secretary") on matters relating to the safety aspects of offshore oil, gas, and other mineral operations subject to regulation by the Secretary. The Secretary shall consult the Committee before promulgating any general regulations or orders affecting the safety of such offshore operations. Any advice or recommendation made by the Committee to the Secretary shall reflect the independent judgment of the Committee on the matter concerned. The Committee is authorized to make available to Congress any information, advice, and recommendations which the Committee is authorized to give to the Secretary. The Committee shall meet at the call of the Secretary, but in any event not less than once during each calendar year. All proceedings of the Committee shall comply with the Federal Advisory Committee Act (5 U.S.C. App. I).

(b)(1) The Committee shall consist of fifteen members, who have particular expertise, knowledge, and experience regarding the transportation and other technology, equipment, and techniques that are used, or are being developed for use, in the exploration for, or the recovery of, offshore oil, gas, or other mineral resources, as follows:

(A) Two members representing enterprises engaged in the production of oil, gas, or other mineral resources, except that not more than one member may represent companies included on the list of restricted joint bidders prepared by the Department of the Interior;

(B) Two members representing enterprises specializing in offshore drilling;

(C) Two members representing enterprises specializing in the supply of offshore oil, gas, or other mineral exploration or recovery operations by water;

(D) One member representing those engaged in each of the following specialties;

(i) Construction of offshore exploration or recovery facilities;

(ii) Diving services related to offshore construction; and

(iii) Helicopter services related to offshore construction;

(E) Two members representing individuals employed in offshore operations;

(F) Two members representing environmental interests; and

(G) Two members representing the general public.

(2) The Secretary shall appoint the members of the Committee after first soliciting nominations by notice published in the Federal Register. The Secretary may request the head of any other Federal agency or department to designate a representative to advise the Committee on matters within the jurisdiction of that agency or department.

(3) The Committee shall elect, by majority vote at its first meeting, one of the members of the Committee as the Chairman and one of the members as the Vice Chairman.

The Vice Chairman shall act as Chairman in the absence or incapacity of, or in the event of a vacancy in, the Office of the Chairman.

(4) Terms of members appointed to the Committee shall be for three years, except that the terms of those members first appointed under subsection (c)(1) (A), (B), and (C) shall be for two years. The Secretary shall, not less often than once a year, publish notice in the Federal Register for solicitation of nominations for membership on the Committee.

(c)(1) Members of the Committee who are not officers or employees of the United States shall serve without pay and members of the Committee who are officers or employees of the United States shall receive no additional pay on account of their service on the Committee. While away from their homes or regular places of business, members of the Committee may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code. The Secretary shall furnish to the Committee an executive secretary and such secretarial, clerical, and other services as are considered necessary for the conduct of its business. There are authorized to be appropriated such sums as may be necessary to implement the provision of this section.

(2) Unless extended by subsequent Act of Congress, the Committee shall terminate five years from the date of enactment of this section.

Sec. 8. (a) Bayou Lafourche, in the State of Louisiana, between Canal Boulevard, city of Thibodaux, Parish of Lafourche and the Southern Pacific Railroad bridge crossing the bayou, city of Thibodaux, Parish of Lafourche, is hereby declared to be a nonnavigable waterway of the United States within the meaning of the laws of the United States relating to the construction of bridges across navigable waters.

(b) The right to alter, amend, or repeal this section is hereby expressly reserved.

Sec. 9. Notwithstanding any other provision of law, the Coast Guard shall transfer, or cause to transfer, to the Keweenaw County Historical Society, Eagle Harbor, Michigan, the Second Order Fresnel Lens from the Rock of Ages Lighthouse, Keweenaw County, Michigan.

Sec. 10. The Port of Houston Authority bridge over Greens Bayou approximately two and eight-tenths miles upstream of the confluence of Greens Bayou, Texas and the Houston Ship Channel is declared to be a lawful bridge for all purposes of the Act entitled "An Act to provide for the alteration of certain bridges over navigable waters of the United States, for the apportionment of the cost of such alterations between the United States and the owners of such a bridge, and for other purposes", approved June 21, 1940 (33 U.S.C. 511 et seq.). The Secretary of the department in which the Coast Guard is operating is authorized to reimburse the owner of the bridge for work done prior to the date of enactment of this section that would be the responsibility of the United States under the Act of June 21, 1940 (33 U.S.C. 511 et seq.) if performed after the date of enactment of this section. The total of all Federal funds authorized to be expended under any law as the result of the declaration made in the first sentence of this subsection shall not exceed \$450,000.

The SPEAKER pro tempore. Is a second demanded?

Mr. DAVIS. Mr. Speaker, I demand a second.

United States for the provision of child care services, industrial waste water treatment or deposit supply activities in cases where the Secretary concerned or another contractor can be more efficient and more economically provided under a long-term contract than by other appropriate means.

"(2) Each contract entered into under subsection (a) shall be awarded through the use of competitive procedures as provided in chapter 137 of this title.

"(3) A contract under this section may be for any period not in excess of 20 years, excluding the period for construction. A contract under this section shall include a provision that the obligation of the United States to make payments under the contract in any fiscal year is subject to the availability of

"(4) A contract may not be entered into under this section until—

"(A) the Secretary concerned submits to the appropriate committees of the Congress in writing a justification of the need for the facility for which the contract is to be awarded and an economic analysis (based upon accepted life cycle costing procedures) which demonstrates that the proposed contract is cost effective when compared with alternative means of furnishing the same facility, and

"(B) a period of 21 calendar days has expired following the date on which the justification and the economic analysis are received by the committees.

"(b) Each Secretary concerned may enter into not more than five contracts under the authority of subsection (a) of this section, other than contracts for child care centers.

"(c) The authority to enter into contracts under this section shall expire on September 30, 1967, but shall not affect the validity of any contract entered into under the authority of this section prior to that date."

Mr. THURMOND. Mr. President, I rise to offer an amendment which will allow the concerned service Secretary to enter into long-term agreements with private sector contractors for the construction and operation of facilities on or near military bases under a pilot program.

Long-term authority is needed to stimulate private sector investment in these facilities which can often be provided by the private sector at great savings to the Government.

This authority was requested by the administration, but it was not supported in committee because of our concern that the authority would be used, and possibly abused, without congressional oversight. This amendment addresses the committee's concern by requiring an economic analysis and justification to the Congress whenever it is used. Similar legislation already gives the Secretary this authority for family housing and utility plants. The committee deleted several projects, such as child care centers, from this bill and directed that the Department seek third-party financing. The legislation is needed to provide the Department the necessary authority.

I urge that this amendment be accepted. With oversight provisions included, there is very little risk involved and a great deal to be gained.

In brief, Mr. President, the amendment does this:

It allows DOD to contract for facilities on a lease of not more than 20

years for a 2-year pilot program of no more than five contracts per service.

It allows for private management and construction of military facilities where cost effectiveness is justified.

It supports committee direction on approach to providing waste water treatment plants, sewage depot activities, and child care centers.

It allows congressional oversight by 21-day notice and reporting provision to House and Senate Committees on Armed Services.

It allows rapid acquisition by leasing from private enterprise.

The leasing will be subject to annual appropriations of Congress.

The approach is similar to other lease arrangements.

The Department of Defense supports this provision as drafted. It is supported by the administration. It is supported by the Senate Committee on Armed Services now. I understand that it is acceptable to both sides and to the distinguished Senator from New Mexico (Mr. BINGAMAN), who is the ranking member on the Military Construction Subcommittee. He and I have been working together. We feel that we now have made changes that will meet his objections and other objections we have received. I hope that the Senate will promptly adopt this amendment.

Mr. BINGAMAN. Mr. President, I ask the senior Senator from South Carolina if he will yield for a question on the amendment?

Mr. THURMOND. Mr. President, I shall be very pleased to yield.

Mr. BINGAMAN. The question concerns the first two or three lines of the amendment which allows the concerned Secretary authority to enter into contracts for the construction, management, and operation of facilities.

It is my understanding, and maybe the Senator from South Carolina can clarify this, that the intent here is that each contract which might be entered into would be for all three of those activities—that is, construction, management, and operation—and we would not be authorizing the Secretary to enter into contracts merely for the operation of a facility or some other particular aspect of it.

Mr. THURMOND. Mr. President, in response to the able Senator from New Mexico, I say that that is the intent of the provision.

Mr. BINGAMAN. Mr. President, I thank the senior Senator from South Carolina. With that clarification, I shall not object to the amendment as offered.

Mr. THURMOND. Mr. President, I move the amendment be adopted.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 191) was agreed to.

Mr. THURMOND. Mr. President, I move to reconsider the vote.

Mr. GOLDWATER. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GOLDWATER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. METZENBAUM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1195—TO REQUIRE INCLUSION OF PHOTOGRAPH AND BIOGRAPHY OF MISSING CHILDREN ON GOVERNMENT MAILINGS

Mr. METZENBAUM. Mr. President, I am today introducing, along with Senators ROTH, EAGLETON, SPECTER, SIMON, McCONNELL, BUMPERS, DENTON, BIDEN, HELMS, GORE, HATCH, and FORD, legislation to authorize the printing of pictures and biographies of missing children on Government mailings.

I can think of nothing more devastating than the disappearance from home of a young child.

Yet this is something that happens in our country—and happens with frightening regularity.

According to the National Center for missing and exploited children, at least 1,500,000 children are missing from their homes each year.

Of these, approximately one million are runaways and "throwaways."

The children come from small towns in rural America and from our largest cities. They come from all racial and ethnic backgrounds. They've grown up in upper class neighborhoods, in the suburbs, and in the inner cities.

And no matter how the disappearance occurs, the impact on the child's family is devastating.

Another large group of children—numbering perhaps in the hundreds of thousands—are taken away by noncustodial parents.

And finally, it is estimated by the national center that between 20,000 and 50,000 children are taken each year by strangers, never to be seen again by their parents.

But we are not defenseless.

States and localities are fighting back:

In some areas, local authorities are automating their missing person files and fingerprinting and videotaping children.

In New York, the thruway authority has begun distributing pictures of missing children with their toll tickets. And soon its 27 service areas will display posters of missing children.

Private companies are also contributing to this effort:

Dairies are printing faces of missing children on milk containers;

Grocery bags bear their likenesses;

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Utility companies are including such pictures and biographies on monthly bills.

Faces of missing children are flashed 32 times a day on the electronic Times Square billboard.

Mr. President, these efforts are working.

After NBC aired pictures of 51 missing children, 11 were found.

In California a picture on a milk carton brought home a runaway girl.

Since these efforts began, telephone calls to the National Center for Missing and Exploited Children have more than doubled.

Mr. President, these public-spirited companies have done a real service. They have raised our consciousness about a tragedy that has for too long been ignored.

The bill I am introducing today would require 50 percent of all Federal agency mail and 75 percent of all congressional mail to include a picture and biography of a missing child. It does not provide any additional money for such activity because there is little if any expense involved.

According to the Government Printing Office the cost of adding a picture to the front of an envelope will be between \$4 and \$5 dollars for every printing run made. That means that if an agency prints 500 or 5,000 or 50,000 envelopes the total additional cost would be no more than \$5. Alternatively, it is possible to enclose a card containing the required information, or to print the information on the face of a document already being copied in quantities. In no case would the costs be substantial.

Mr. President, if this measure returns only one child it will be worth the effort. But I believe that it will return many more than that. And it will certainly increase the awareness of Americans of a tragic and heart-rending national problem.

Mr. President, I ask unanimous consent that a copy of our bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1195

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)(1) effective 90 days after the date of enactment of this Act—

(A) 75 per centum of the official mail transmitted by the Senate and the House of Representatives; and

(B) 50 per centum of the official mail transmitted by any agency, department, or bureau of the United States

shall contain a photograph and appropriate biographical information of a missing child.

(2) The Secretary of the Senate, the Clerk of the House of Representatives, and the head of each agency, department, or bureau of the United States shall take such actions as are necessary to implement the provisions of this Act.

(b) For purposes of this Act, the term "missing child" shall have the meaning given such term in section 403(1) of title IV of the Juvenile Justice and Delinquency

Prevention Act of 1974, and 202.5(e), section 660 of Public Law 98-473.

(c) The costs of implementing this Act shall be paid out of existing appropriations available for administrative purposes.

Mr. METZENBAUM. Mr. President, if the majority leader has no problem with it—and I do not think he does, because I believe it has been cleared—I ask unanimous consent that the bill be placed on the calendar at this point.

Mr. DOLE. Mr. President, reserving the right to object—and I shall not object—I had a conversation with the distinguished Senator from Ohio earlier today. I think this is an excellent idea, and I will support an early effort to remove it from the calendar, pass it, and send it to the House tomorrow morning or even later this evening.

Mr. METZENBAUM. I appreciate very much the cooperation of the majority leader.

Saturday is Missing Children's Day. I have been in touch with the leadership of the House, and there is a chance that it will be passed there. But I hope we can pass it tonight or tomorrow morning in the Senate.

Mr. DOLE. Mr. President, I say to the distinguished Senator from Ohio that if there is an opportunity to do it this evening, we will. I will have to check all the procedural factors.

Mr. METZENBAUM. The Senator from Ohio is prepared. He just wants to be certain that Senator ROHR, who is a cosponsor, or anyone else who is interested in the bill and wants to be present has an opportunity to do so.

Mr. DOLE. I understand that, and I would certainly clear it with Senator ROHR and others.

Saturday is Missing Children's Day. It is being recognized in many States, including Kansas, Delaware, Ohio, and probably every other State. In my view, this would be an appropriate indication not only of our interest but also actually doing something very constructive.

Mr. METZENBAUM. I am very grateful for the support and assistance of the majority leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. METZENBAUM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(Later the following occurred:)

Mr. METZENBAUM addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. METZENBAUM. Mr. President, I rise for a unanimous-consent request.

Mr. GOLDWATER. Mr. President, I yield 2 minutes to my friend from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. METZENBAUM. Mr. President, I am about to make a unanimous-consent request that has been created by the majority leader, minority leader, ranking member of the appropriate committee, and the chairman of the committee having jurisdiction.

MISSING CHILDREN LOCATION ACT

Mr. President, I ask unanimous consent that the pending measure be set aside for a period not in excess of 2 minutes, that it retain its place on the calendar as if there has been no intervening business, and that Senate bill 1195, the Missing Children Location Act, be called up for immediate consideration.

Mr. GLENN. Mr. President, reserving the right to object, and I will not object. Could we also include in that unanimous-consent request that it does not detract from the time on the current debate, which is under a time limitation.

Mr. METZENBAUM. Mr. President, I add that to the request.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

A bill (S. 1195) to require that a portion of the mail of Congress and the executive branch include a photograph and biography of a missing child.

The Senate proceeded to consider the bill.

Mr. ROTH. Mr. President, I am certain that every one of my colleagues is aware of the grave situation concerning missing children in this country. We have all heard far too many tragic accounts of youngsters who were last seen walking home from school or playing in a neighborhood park, only to vanish without a trace.

I can think of few experiences worse than that of a parent who must face the trauma of a missing child. For those parents whose children have been missing for days, weeks, and sometimes even years, there is an added burden. On top of the anger and grief, there is also the feeling of tremendous frustration—the realization that despite the aid of the authorities, their child is still missing.

It is from those feelings of frustration that numerous individuals and groups have directed their efforts to locating missing children. Recently, these efforts have evolved into a nationwide campaign to locate these children, and to educate the public about this serious situation. Many business and community organizations provide information on how to safeguard children from strangers, and it is now common to see the faces and histories of missing children on the backs of milk cartons.

Mr. President, this bill provides another method for educating many more of us to the plight of missing children. It designates that certain

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CONGRESSIONAL RECORD — SENATE

May 22, 1985

portions of material mailed by Members of both the Senate and House and the executive branch agencies contain the photographs and biographies of missing children. In this way, Government joins forces with the many private groups and individuals who are directing their efforts to locate missing children.

It is critically important that every possible means be used to locate the thousands of children missing in this country today. We all share a responsibility to make people aware of this agonizing problem.

Mrs. HAWKINS. Mr. President, I am delighted to join my distinguished colleague from the State of Ohio, Mr. METZENBAUM, in cosponsoring this legislation.

Earlier today I submitted a rather lengthy list of businesses and corporations who had made a significant contribution to improve or search for missing children. These businesses are just a representative sample of the hundreds of organizations that have given of their time, talent, and resources to help locate missing children.

Tomorrow I will chair a hearing in my Subcommittee on Children, Family, Drugs and Alcoholism to review the progress that has been made in the search for missing children since my original hearing 3½ years ago. I wanted to have a panel representing businesses that had significantly contributed their time, talent, and resources to help find missing children. I asked my staff to compile a list of those organizations, and I was not only amazed at the length of the list, but at the innovative methods that these businesses and organizations were going to spread the message about missing children and the great extent of their contribution. Since I couldn't invite every organization to testify, I decided that we should celebrate Missing Children Day this year by honoring the businesses, corporations, and organizations that have made that significant contribution.

We even had to move the site for our breakfast, because the list of private and public organizations that have contributed significantly to the search for missing children kept on growing. Even so, I couldn't find a room in the Senate that was large enough to accommodate every business and organization that has joined us in our search for missing children. The list of participating dairies alone was in the hundreds. I had to limit the invitations to organizations that had made a significant, national contribution to the search for missing children.

You range from a restaurant in Troy, MI, whose proprietor raised \$17,000 for the National Center out of gratitude for their help in the safe return of his daughter, Betsy, to corporations like Texize, Bekins Van Lines, and Commtron who have literally contributed hundreds of thou-

sands of dollars to aid in the search for missing children.

I am amazed at the innovative ways in which I have seen pictures and posters of missing children displayed. They have been displayed on pizza boxes, milk cartons, inserts in direct mail advertising and utility bills. We in Congress should join our colleagues in the private sector in disseminating pictures of missing children. I believe that the legislation that Senator METZENBAUM is offering will be worthwhile. We have already seen the successes.

The success stories range from the runaway who returned home after seeing her picture on a pizza box. She said that seeing her picture made her realize how much her parents must love her to go to those kind of lengths to find her. Or the parental kidnapping victim who saw his picture displayed after the showing of "Adam" who called home to let his mother know he was alive and safe. His father had told him that his mother didn't want him. Or the Rhode Island State police who credit passage of the Missing Children Act and publicity about the national crime information computer in their successful utilization of the computer. They linked a car involved in an accident to its owner who had been a suspect in a child abduction and saw the eventual safe return of that child to his family. Or the ordinary citizen, who risked being labeled a "nosey neighbor" by persistently pursuing her suspicions about a young frightened child in the company of an elderly neighbor. Her suspicions were well founded, the child had been snatched from her parents in California so long ago that they couldn't positively identify her until after blood tests were performed.

It is through the efforts of private and public corporations that missing children are being located and returned to the safety of their homes. I urge my Senate colleagues to join me in supporting this legislation.

Mr. SPECTER. Mr. president, I commend my colleague from Ohio, Senator METZENBAUM, for introducing S. 1195, legislation to assist national efforts in locating missing children. This bill, which I cosponsor, requires that photographs and information on missing children be reproduced on 75 percent of all congressional mail and 50 percent of all Federal Government agency mail. This important action can be undertaken with existing appropriations—no additional Federal funding is required. This effort, when viewed in conjunction with the considerable initiatives shown by the private sector and the business community, will lend further support to the ongoing efforts to end the national tragedy and heartbreak of the disappearance of more than 1.5 million children each year.

This morning, the Senate Subcommittee on Juvenile Justice, which I chair, held another in a series of hear-

ings on missing children. This hearing focused on private sector initiatives to assist in finding missing children, and the dangers of fraud and abuse in the burgeoning missing children's industry. Many corporations, such as Wawa Dairy Products and the Trailways Corp., have responded swiftly to address the plight of missing and abducted children.

This use of the Government mail will help focus nationwide attention on the tragic cases of missing children. I believe another extremely important step toward this goal would be an undertaking by the television networks to air pictures of missing children as part of their regular programming, and to help publicize the National Center's hotline and information services. The National Center for Missing and Exploited Children was established pursuant to the Missing Children's Assistance Act, which I introduced in the 98th Congress, and which President Reagan signed into law on October 12, 1984. Senator HEINZ and I have contacted our colleagues in the Senate, and asked them to join us in urging the major television networks to undertake these steps. Mr. President, I am pleased to report that 83 Members of the Senate, including Senator METZENBAUM, have joined Senator HEINZ and me as signatories to this letter, which was sent to the Nation's major broadcasting companies on May 20, 1985.

I have pledged, and will continue to pledge, my tireless efforts to end this heartbreaking situation, and the bill which I cosponsor today contributes further to these efforts.

The cosponsors of the amendment are: Mr. METZENBAUM, for himself, Mrs. HAWKINS, Mr. ROTH, Mr. DOLE, Mr. EAGLETON, Mr. SPECTER, Mr. SIMON, Mr. MCCONNELL, Mr. BUMPERS, Mr. DENTON, Mr. BIDEN, Mr. HELMS, Mr. GORE, Mr. HATCH, Mr. FORD, Mr. MOYNIHAN, and Mr. BRADLEY.

Mr. METZENBAUM. Mr. President, I believe we are prepared to act on the bill.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1195) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. METZENBAUM. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. GOLDWATER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. METZENBAUM. Mr. President, I want to express my appreciation to the chairman of the committee, my good friend, Senator GOLDWATER, and to the other Members who wish to speak on this very important subject who are on the floor at this time.

(Conclusion of later proceedings.)

August 1, 1985

CONGRESSIONAL RECORD — HOUSE

H 7069

(b) **ACQUISITIONS.**—The Commission is authorized to acquire any work of art, historical object, document or material relating to historical matters, or exhibit for placement in the House wing of the Capitol or the House office buildings.

SEC. 6. STAFF.

The Commission shall be staffed by the Office for the Bicentennial of the House of Representatives and shall have full supervisory powers over such Office. The Commission may also draw upon the staff support of such other employees of the House or its support agencies as may be agreed to by mutual consent.

SEC. 7. PAYMENT OF EXPENSES.

The expenses of the Commission shall be paid from money appropriated to the Office for the Bicentennial of the House of Representatives.

SEC. 8. PERIODIC REPORTS.

The Commission may submit periodic reports on its activities to the House. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

SEC. 9. TERMINATION.

The Commission shall cease to exist at the end of the 99th Congress, unless otherwise provided by law or resolution.

Mr. ALEXANDER (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Arkansas?

Mr. WALKER. Mr. Speaker, reserving the right to object, I reserve the right to object simply to make certain that I understand the procedure here. It is my understanding that this has been cleared by the minority?

Mr. ALEXANDER. Yes, the gentleman is correct. Mr. Speaker, if the gentleman will yield and if I may respond further, the resolution is for the purpose of establishing a Commission on the Bicentenary of the U.S. House of Representatives. It has been cleared by the minority. There are no funds required for its implementation, and it is simply for the purpose of planning, directing, and consummating a program for the commemoration of the bicentenary of the U.S. House of Representatives.

Mr. WALKER. Further reserving the right to object, Mr. Speaker, I appreciate the gentleman's explanation, and I am particularly appreciative of his making the point that this is a resolution that requires no new funding, and that in fact any expenses that will be incurred from this will be out of the office for the bicentennial in the House of Representatives, and that that is previously appropriated money.

Mr. ALEXANDER. Yes, the gentleman is correct. The Bicentenary Commission will be paid for and administered by funds and staff that are currently provided for.

Mr. WALKER. It is also my understanding that the representation on

the Commission is equal between the majority and the minority in this particular instance?

Mr. ALEXANDER. Yes, it is equal, and it is bipartisan in makeup.

Mr. WALKER. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Arkansas?

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

A PLEA TO THE PRESIDENT TO REPUDIATE OPPRESSION IN SOUTH AFRICA

(Mr. WHEAT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WHEAT. Mr. Speaker, last week I joined with my colleagues in the Congressional Black Caucus in sending a telegram to the President of the United States requesting an urgent meeting on the crisis in South Africa. Mr. President, we sought that meeting to bring you a message of deep concern about the deteriorating situation in that troubled country.

Last night the conference committee on this body and of the other body endorsed that message and called upon the Congress to pass the Anti-Apartheid Act of 1985. Upon passage of that legislation, Mr. President, we will call upon you to carry our message to the world, and our message is a simple one: The United States will no longer condone oppression in South Africa.

While you are sincere in your efforts to engage the South African Government in constructive dialog, that Government and the rest of the world perceive constructive engagement as tacit American approval of oppressive practices in South Africa. Mr. President, even the mere perception that Americans would tolerate South African repression is morally repugnant, and we call upon you now to repudiate that offensive misperception.

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THE INSANITY OF APARTHEID

(Mr. DELLUMS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELLUMS. Mr. Speaker, I rise this morning to join with all my colleagues who have taken the well to challenge the insanity of apartheid, the cruelty and oppression of the reality of what is taking place in South Africa at this very moment and to raise the point that a number of my distinguished colleagues, as well as this gentleman, have asked the President of the United States for a terribly

important meeting to discuss this incredible issue.

Over the last several days we received a report that Mr. Botha of South Africa refused to meet with Bishop Desmond Tutu, but there are those of us who reside in this Chamber who have a compelling, obvious, yet not exclusive interest in what is taking place in South Africa, who have the right to expect more from our President.

We can understand ignoring Bishop Tutu in the context of the madness of South Africa, but this is ostensibly a democratic society.

The President of the United States, whether or not we agree ideologically, is the President of all the people and in my estimation has a moral, a political, and intellectual obligation to meet with all of the persons who are duly elected and respected representatives of major constituents in this country. The President has a profound obligation and, indeed, a responsibility to meet with us on this incredible issue.

USE OF OFFICIAL GOVERNMENT MAIL TO LOCATE MISSING CHILDREN

Mr. McCLOSKEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1195) entitled "An Act to require that a portion of the mail of Congress and the executive branch include a photograph and biography of a missing child," with Senate amendments to the House amendments thereto, and concur in the Senate amendments to the House amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments to the House amendments, as follows:

Page 3, line 15, of the House engrossed amendment, before "Section" insert "(1)".

Page 3, after line 18 of the House engrossed amendment, insert:

(2) Section 733 of title 44, United States Code, is amended by inserting after the second sentence of the second undesignated paragraph the following: "Franks may also contain information relating to missing children as provided in section 3220 of title 39."

The SPEAKER pro tempore (Mr. TORRES). Is there objection to the request of the gentleman from Indiana?

Mr. HANSEN. Mr. Speaker, the minority has no objection.

There was no objection.

A motion to reconsider was laid on the table.

NATIONAL SCHOOL-AGE CHILD CARE AWARENESS WEEK

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 60) to designate the week beginning September 1, 1985, as "National School-Age Child Care Awareness Week," and ask for its immediate consideration.

99TH CONGRESS
1ST SESSION

S. 1195

IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 1985

Referred jointly to the Committees on House Administration and Post Office and
Civil Service

AN ACT

To require that a portion of the mail of Congress and the executive branch include a photograph and biography of a missing child.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a)(1) effective ninety days after the date of enactment
4 of this Act—

5 (A) 75 per centum of the official mail transmitted
6 by the Senate and the House of Representatives; and

7 (B) 50 per centum of the official mail transmitted
8 by any agency, department, or bureau of the United
9 States

10 shall contain a photograph and appropriate biographical in-
11 formation of a missing child.

1 (2) The Secretary of the Senate, the Clerk of the House
2 of Representatives, and the head of each agency, department,
3 or bureau of the United States shall take such actions as are
4 necessary to implement the provisions of this Act.

5 (b) For purposes of this Act, the term "missing child"
6 shall have the meaning given such term in section 403(1) of
7 title IV of the Juvenile Justice and Delinquency Prevention
8 Act of 1974, as added by section 660 of Public Law 98-473.

9 (c) The costs of implementing this Act shall be paid out
10 of existing appropriations available for administrative ex-
11 penses.

 Passed the Senate May 22 (legislative day, April 15),
1985.

Attest:

JO-ANNE L. COE,

Secretary.

JUL 02 1985

Honorable William B. Ford
Chairman
Committee on Post Office and
Civil Service
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This is in reply to your request for the views of the Office of Management and Budget (OMB) on S. 1195, the "Missing Children Location Act." This legislation, which passed the Senate on May 22, 1985, would require 75 percent of the official mail of the Legislative branch and 50 percent of the official mail of the Executive branch to contain a photograph and "appropriate biographical information" about a missing child.

The Administration, of course, strongly supports efforts to assist in searching for and locating missing children. We think that recent initiatives -- the enactment of the Missing Children's Assistance Act last year is a good example -- have demonstrated convincingly the willingness of the Federal Government to take meaningful steps to help find missing children.

We are concerned, however, about a number of potential difficulties that might impede the success of the program that this legislation envisions. Other interested agencies will be providing you with additional views.

As a preliminary matter, it appears that S. 1195 is modelled on current efforts in the private sector to put information concerning missing children in the hands of consumers (e.g., by putting photographs and other information on milk cartons or grocery bags). We believe that it would be worthwhile to attempt to determine the extent to which these private sector initiatives are working before mandating Federal action. Even if the private sector programs are working, are Government mailings sufficiently analogous to widely-used consumer products to justify establishing a Government-wide program of this nature?

Other questions or problems that you may wish to examine include the following:

- o How much will the program cost? The debate in the Senate indicated that costs would be quite low. The Veterans Administration, however, has advised us that it estimates that

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printing a photograph and biographical information on one million envelopes could cost as much as \$12,000. Since Executive branch agencies mailed over two billion pieces of mail in 1984, operational costs could be considerable.

- o Given the logistical considerations in ordering and printing envelopes and other mailers, how current would the information be? How would the agencies coordinate decisions on which children would be selected and for which mailings? How useful would it be for the Social Security Administration, for example, to put the picture of one child on all of the millions of envelopes that it sends in one month?
- o Should the requirements of S. 1195 be imposed on agencies whose mailings are not primarily to the public-at-large but rather to other agencies (e.g., OMB) or to locations outside the United States (e.g., the State Department)?

The Executive branch is well aware of the problem of missing children. The Department of Justice and the Department of Health and Human Services, in particular, are doing a great deal to locate and help missing and runaway children. In addition, other agencies have initiated programs to assist in this effort. The Postal Service, for example, is considering posting photographs of missing children on post office bulletin boards around the country. Other administrative action might be helpful in addressing this problem.

If, after considering these factors, and others that I am certain will be brought to your attention, the Committee decides that the program that S. 1195 would create has merit, we believe serious consideration should be given to authorizing it on a limited test basis. For example, the program could be authorized for a short period, such as one or two years, and limited to the mailings of a few carefully selected agencies, in order to ascertain its effectiveness.

Let me emphasize the Administration's commitment to assist in finding missing children. In considering S. 1195 or similar legislation, I trust that the Committee will consider these questions and concerns carefully.

Sincerely,

David A. Stockman

David A. Stockman
Director

MCCLOS015

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO S. 1195
OFFERED BY MR. McCLOSKEY

Strike out all after the enacting clause and insert in lieu thereof the following:

1 SECTION 1. AUTHORITY TO USE PENALTY AND FRANKED MAIL.

2 (a) AUTHORITY.--(1) Chapter 32 of title 39, United States
3 Code, is amended by adding at the end thereof the following:

4 ``§3220. Use of official mail in the location and recovery of
5 missing children

6 `` (a)(1) The Office of Juvenile Justice and Delinquency
7 Prevention, after consultation with appropriate public and
8 private agencies, shall prescribe general guidelines under
9 which penalty mail may be used to assist in the location and
10 recovery of missing children. The guidelines shall provide
11 information relating to--

12 `` (A) the form and manner in which materials and
13 information relating to missing children (such as
14 biographical data and pictures, sketches, or other
15 likenesses) may be included in penalty mail;

16 `` (B) appropriate sources from which such materials
17 and information may be obtained;

18 `` (C) the procedures by which such materials and
19 information may be obtained; and

1 ``(D) any other matter which the Office considers
2 appropriate.

3 ``(2) Each executive department and independent
4 establishment of the Government of the United States shall
5 prescribe regulations under which penalty mail sent by such
6 department or establishment may be used in conformance with
7 the guidelines prescribed under paragraph (1).

8 ``(b) The Senate Committee on Rules and Administration
9 and the House Commission on Congressional Mailing Standards
10 shall prescribe for their respective Houses rules and
11 regulations, and shall take such other action as the
12 Committee or Commission considers necessary and proper, in
13 order that purposes similar to those of subsection (a) may,
14 in the discretion of the congressional official or office
15 concerned, be carried out by the use of franked mail sent by
16 such official or office.

17 ``(c) As used in this section, `Office of Juvenile
18 Justice and Delinquency Prevention' and `Office' each means
19 the Office of Juvenile Justice and Delinquency Prevention
20 within the Department of Justice, as established by section
21 201 of the Juvenile Justice and Delinquency Prevention Act of
22 1974.''. .

23 (2) The analysis for chapter 32 of title 39, United
24 States Code, is amended by adding at the end thereof the
25 following:

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``3220. Use of official mail, in the location and recovery of missing children.'`.

1 (b) DEFINITION.--Section 3201 of title 39, United States
2 Code, is amended--

3 (1) in paragraph (4), by striking out ``and'';

4 (2) in paragraph (5), by striking out the period and
5 inserting in lieu thereof ``; and''; and

6 (3) by adding at the end thereof the following:

7 `` (6) `missing child' has the meaning provided by
8 section 403(1) of the Juvenile Justice and Delinquency
9 Prevention Act of 1974.'`.

10 (c) CONFORMING AMENDMENT.--Section 3204(a) of title 39,
11 United States Code, is amended by striking out ``section,''
12 and inserting in lieu thereof ``section or section 3220(a) of
13 this title,'`.

14 SEC. 2. ISSUANCE OF GUIDELINES, RULES, AND REGULATIONS.

15 (a) GUIDELINES.--The guidelines described in section
16 3220(a)(1) of title 39, United States Code, as added by this
17 Act, shall be prescribed not later than 90 days after the
18 date of the enactment of this Act.

19 (b) RULES AND REGULATIONS.--The regulations described in
20 subsection (a)(2) of section 3220 of title 39, United States
21 Code, as added by this Act, and the rules and regulations
22 described in subsection (b) of such section, as so added,
23 shall be prescribed not later than 180 days after the date of

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1 the enactment of this Act.

2 **SEC. 3. REPORTS.**

3 (a) **GENERAL REQUIREMENTS.**--Not later than 2 years after
4 the date of the enactment of this Act, a written report
5 containing the matter described in subsection (b) shall be
6 prepared by--

7 (1) the Office of Juvenile Justice and Delinquency
8 Prevention and submitted to the President, the President
9 pro tempore of the Senate, and the Speaker of the House
10 of Representatives;

11 (2) the Senate Committee on Rules and Administration
12 and submitted to the President pro tempore of the Senate;
13 and

14 (3) the House Commission on Congressional Mailing
15 Standards and submitted to the Speaker of the House of
16 Representatives.

17 (b) **CONTENT OF REPORTS.**--Each report under this section
18 shall include--

19 (1) an assessment of the effectiveness with which any
20 authority provided by section 3220 of title 39, United
21 States Code, as added by this Act, has (during the period
22 covered by the report) been used, insofar as such
23 authority was subject to guidelines or rules and
24 regulations prescribed by the reporting entity;

25 (2) recommendations as to whether the authority under

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1 such section should, insofar as such authority was
2 subject to such guidelines or rules and regulations, be
3 extended beyond the termination date otherwise applicable
4 under section 5; and

5 (3) any other information which the reporting entity
6 considers appropriate.

7 **SEC. 4. CLARIFICATION RELATING TO COORDINATION OF GOVERNMENT**
8 **PROGRAMS.**

9 Notwithstanding any other provision of law, the authority
10 provided by section 3220(b) of title 39, United States Code,
11 as added by this Act, shall not be considered to be subject
12 to the authority of any agency within the executive branch of
13 the Government of the United States to coordinate programs
14 relating to missing children.

15 **SEC. 5. TERMINATION DATE.**

16 The amendments made by section 1 and any guidelines,
17 rules, or regulations prescribed to carry out such amendments
18 shall cease to be effective 2-1/2 years after the date of the
19 enactment of this Act.

Amend the title so as to read: ``A bill to amend title
39, United States Code, to authorize the use of penalty and
franked mail in efforts relating to the location and recovery
of missing children.'`.

July 18, 1985

SUMMARY OF S. 1195

SOURCE: S.1195 was introduced by Senator Metzenbaum on May 22, 1985 and passed on the same day. The bill was then referred to the Committee on Post Office and Civil Service.

PURPOSE: To allow for the printing of a photograph and biography of a missing child on U.S. Government penalty and franked mail.

BACKGROUND: The Subcommittee on Postal Personnel and Modernization held hearings on S.1195 on June 25, 1985. Testimony was heard from Members of Congress, Officers of the Senate and House, the U.S. Postal Service and public witnesses. While all witnesses applauded the intent of the bill, several expressed concern over various administrative aspects. After consultation with the interested parties, an amendment in the nature of a substitute was drafted to address these specific concerns. The bill is scheduled to be marked up in subcommittee on Tuesday, July 23.

EXPLANATION: The bill introduced and passed in the Senate provided for specified percentages of congressional and Executive branch mail to contain the photograph and biography of a missing child. The substitute bill would make the program discretionary, with a sunset of 2 1/2 years if proven ineffective in achieving its goal of aiding in the search for missing children. A report to the Congress would be required after 2 years.

The substitute would require the Office of Juvenile Justice and Delinquency Prevention to produce guidelines for implementation of the provisions of the bill applicable to penalty mail within 90 days after enactment. Within 180 days of enactment, each Department would be responsible for promulgating rules and regulations in accordance with the guidelines. For franked mail, the Senate Committee on Rules and Administration and the House Commission on Congressional Mailing Standards would administer the program and provide rules and regulations, also within 180 days after enactment.

COST: CBO estimates no significant cost to the government.

File
misc
P...
SJK

FROM:
MEMO
FOR:

STAT

SUBJECT: Missing Children + Mail

At the request of I attended the July 23, 11:30 AM hearing for the mark-up of S. 1195. The hearing was held by the House Post Office & Civil Service Committee- Postal Personnel Subcommittee.

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Prior to the hearing an inquisitive and very helpful staffer from Chairman McCloskey's office provided me with a copy of the bill, the McCloskey amendment (only one offered), and a summary of the impact of the amendment (see attachments).

The McCloskey amendment changes S. 1195 from an act which mandates, to one which simply allows, printing of "missing children photos and bios" on some percentage of congressional and executive "official mail". According to the staffer the amendment safeguards against counterproductive inter/intra-agency repetition. The alleged impact of such repetition being desensitization of the recipient, and so a corresponding reduction in the effectiveness of the program in locating missing children. The logic being that those inundated will come to feel "if you've seen one... you've seen them all."

Realistically, the hidden agenda was revealed when McCloskey indicated during the hearing that the House (which presumably produces larger volumes of mail than the Senate) did not embrace any effort (especially the Senate's) which resulted in more complexity in their system of correspondence.

With only McCloskey and Young present, and no member objecting, the amendment was adopted for consideration by the whole committee after five minutes of uneventful discussion.